GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Sri V. Sridhar, Joint Director of Agriculture, Guntur district and others – Initiation of departmental Common /Joint enquiry proceedings u/r 20 of APCS (CC&A) Rules, 1991 read with Rule- 24 of A.P.C.S. (CC&A) Rules, 1991 - Articles of charge – Issued.

AGRICULTURE AND COOPERATION (VIG I) DEPARTMENT

G.O.Rt.No.719 **Date:09 -10-2015.**

Read the following:-

1.From the C&DA, Hyd. Lr.No.Vig.II(2)82/13, dated:14-04-2015.
2.Govt Memo.No.3197/vig.1/2015,date:09-10-2015.

-o0o-

ORDER :-

It is proposed to hold an enquiry against the said Sri V. Sridhar, Joint Director of Agriculture, Guntur district in accordance with procedure laid down in Rule- 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Articles of Charge (Annexure-I). Statement of imputation of misconduct or misbehaviour on which action is proposed to be taken against him as Annexure-II, a list of documents by which and a list of witnesses by whom the Article of Charge is proposed to be sustained are also enclosed as Annexure-III and IV.

3. Sri V. Sridhar, Joint Director of Agriculture, Guntur district is directed to submit a written statement of his defence within 15 days from the date of receipt of this G.O. and also to state whether he desires to be heard in person.

4. Sri V. Sridhar, Joint Director of Agriculture, Guntur district is further informed that an Inquiry will be held only in respect of those articles of charge as are not admitted. He should therefore, specifically admit or deny the article of charge.

5. Sri V. Sridhar, Joint Director of Agriculture, Guntur district is further informed that if he does not submit his written statement of defense on or before the date specified in para-3 above, further action will be processed based on the material available.

6. Attention of Sri V. Sridhar, Joint Director of Agriculture, Guntur district is invited to Rule -24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to him under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that Sri V.Sridhar, Joint Director of Agriculture, Guntur district is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule -24 of the A. P. Civil Service (Conduct) Rules, 1964.

(P.T.O)

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

T.VIJAY KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri V. Sridhar, Joint Director of Agriculture, Guntur District
(through the Director of Agriculture,A.P, Hyderabad.)

Copy to:

The Director of Agriculture, A.P.., Hyderabad (with a request to serve the order on the charged officer and return the served copy with dated ack.,)
SC/Sf.

//FORWARDED BY ORDER//

SECTION OFFICER

Annexure-I

Statement of articles of Charge framed against Sri V. Sridhar, Joint Director of Agriculture, Guntur district.

Article:-I

"That the said Sri V. Sridhar, Joint Director of Agriculture, Guntur district, while functioning as J.D.A., Guntur during the period from 21-07-2011 to till date has failed to submit the draft articles of charge in respect of the then 3 ADAs(R), Satttenapalli i.e. Sri I.Murali, Sri A.V.S.Sastry and Sri N.Venkateswarlu for supervisory lapses even after lapse of one year eleven months. Thus, he was not devoted to duty and negligent in discharge of his legitimate duties, which attracts violation of Rule-3 of A.P.C.S. (Conduct) Rules, 1964".

Article -II

"That the said Sri V. Sridhar, Joint Director of Agriculture, Guntur district, while functioning as J.D.A., Guntur during the period from 21-07-2011 to till date has failed to follow the procedure laid down in A.P.C.S. (CC&A) Rules, 1991 in connection with during the preparation and issue of suspension proceedings in respect of Sri M.S.D.V.K.Prasad, the then Junior Assistant, O/o ADA(R), Sattenapalli who misappropriated Govt. funds in the prescribed Form in Annexure-III mentioned in G.O.Ms.No.411, dt.20-07-1993 of G.A. (Ser.C) Dept. Thus, he was not devoted to duty and negligent in discharge of his legitimate duties, which attracts violation of Rule-3 of APCS (Conduct) Rules, 1964".

Article -III

"That the said Sri V. Sridhar, Joint Director of Agriculture, Guntur during the period from 21-07-2011 to till date has failed to monitor the misappropriation cases in his jurisdiction as indicted below:

i. prompt reporting
ii. quick finalization of amounts misappropriated
iii. immediate identification of the persons responsible for the crime
iv. fool proof handling of records
v. prompt criminal prosecution of the accused
vi. pinpointing responsibility of supervision
vii. timely disciplinary action against the accused officers and those who supervisory negligence leads to the misappropriation.

Thus, he violated the procedure prescribed in G.O.Ms.No.25, dt.03-02-2004 of G.A. (Ser.C) Dept. Thus, he was not devoted to duty and negligent in discharge of his legitimate duties, which attracts violation of Rule-3 of APCS (Conduct) Rules, 1964".

Article -IV

"That the said Sri V. Sridhar, Joint Director of Agriculture, Guntur district, while functioning as JDA, Guntur during the period from 21-07-2011 to till date has failed to complete the departmental action within 3 to 4 months in respect of the misappropriation cases and failed to initiate criminal proceedings against the supervisory officers whose failure lead to the offences and thus he violated Article 301 of Financial Code. Thus, he was not devoted to duty and negligent in discharge of his legitimate duties, which attracts violation of Rule-3 of APCS (Conduct) Rules, 1964".

Article –V

"That the said Sri V. Sridhar, Joint Director of Agriculture, Guntur district, while functioning as J.D.A., Guntur during the period from 21-07-2011 to till date has failed to submit the detailed report even after lapse of one year seven months against the disagreement factors communicated by C&DA on the inquiry officer's report submitted by the DDA through J.D.A., Guntur . Thus, he was not devoted to duty and negligent in discharge of his legitimate duties, which attracts violation of Rule-3 of APCS (Conduct) Rules, 1964".

T.VIJAY KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER

Annexure-II

Statement of imputations of misconduct or misbehaviour in support of the articles of charge framed against Sri V.Sridhar, Joint Director of Agriculture, Guntur

That during the aforesaid and while functioning in the aforesaid office, the said Sri V.Sridhar, Joint Director of Agriculture, Guntur has informed that the ADA(R), Sattenapalli has made a complaint to the O/o JDA, Guntur stating that Sri MSDVK.Prasad, Junior Assistant working in his office has drawn an amount of **Rs.1,00,000/-** in a/c No.8847 of Chaitanya Godavari Grameena Bank through cheques by making forged signatures without knowledge of the ADA(R), Sattenapalli.

Further, the J.D.A, Guntur has submitted that as per the report received from the ADA(R), Sattenapalli, the Jr.Asst. has also operated one more bank account No.2068 which was opened in the name of ADA(R), Sattenapalli in C.G.G. Bank, Sattenapalli without knowledge of the ADA(R), Sattenapalli and made transactions for an amount of **Rs.13,32,500/-** on the different dates by using forgery cheques in the name of ADA(R), Sattenapalli. The A.D.A.(R), Sattenapalli has also reported that the Jr.Asst. has not handed over the connected SB a/c books and cheque books to him, despite issue of instructions vide his memo No.A/3/2013, dt.11-01-2013 and stayed away from duty since 11-01-2013 onwards. The ADA(R), Sattenapalli has lodged complaint against the Jr.Asst. in SHO, Sattenapalli and submitted FIR copy.

After perusal of the above, the Commissioner & Director of Agriculture, A.P., Hyd., has issue instructions to the J.D.A., Guntur to place Sri MSDVK Prasad, Jr.Asst. O/o.ADA® Sattenapally under suspension immediately being competent disciplinary authority and submit compliance report . The J.D.A. Guntur was also instructed to conduct a discreet enquiry in the matter and submit detailed report along with the names of persons responsible for the entire issue and persons failed to supervise the entire matter for initiating necessary departmental/ disciplinary action besides filing criminal case vide memo dt.19-02-2013.of C.&.D.A.,,A.P,Hyderabad.

Vide memo dt.10-04-2013,the C&DA has requested once again the J.D.A, Guntur to furnish the enquiry report and draft articles of charges on the responsible persons i.e officers worked as A.D.As(R), Sattenapalli during the period, Sri MSDVK Prasad, Jr.Asst. and others, if any, duly fixing responsibility for recovery of Government money immediately.

Vide lr.no. Estt.II/173/13, dt.24-04-2013, the J.D.A., Guntur has submitted the inquiry report and a copy of the suspension proceedings in respect of Sri MSDVK.Prasad, Junior Assistant to O/o ADA (R), Sattenapalli, Guntur District and stated that the draft articles of charges in respect of Jr. Asst.(u/s) and against 3 ADAs (R) will be submitted within a week time.

In respect of article -I

The draft article of charges in respect of the 3 ADAs(R) as said in the inquiry report are awaited even after lapse of one year 11 months.

Thus Sri V. Sridhar, JDA, Guntur was not devoted to duty and negligent in discharging his legitimate duties and disobeyed the orders of the C&DA, Hyd. which attracts violation of Rule-3 of APCS (Conduct) Rules, 1964". Hence the charge.

In respect of Article-II

It was observed that the suspension proceedings which were issued by the JDA, Guntur was not in a prescribed format as per G.O.Ms.No.411, dt.20-07-1993 of GA (Ser.C) Dept.

In the said G.O, it was mentioned that where as a case has been registered and it is under investigation, the Form in Annexure-III to issue suspension order may be considered for adoption.

Thus Sri V.Sridhar, JDA, Guntur was not devoted to duty and negligent in discharging his legitimate duties, which attracts violation of Rule-3 of APCS (Conduct) Rules, 1964". Hence the charge.

In respect of Article-III

After perusal of the inquiry report ,the C&DA,A.P has returned the inquiry report along with the disagreement factors communicated in proceedings dated:31-05-2013 and instructed to pursue the matter with the police authorities and take the case to the logical end and submit a report in the matter for taking necessary departmental action against the accused persons and get the suspension order in respect of the Junior Assistant published in the District Gazette, since he is absconding from duties and his whereabouts are not known so as to take further action while conducting departmental enquiry. .He was also reminded on dt.02-08-13, 08-10-13 & 07-12-13.by the C&DA,A.P,Hyd

Vide lr.no. Estt.II/173/13, dt.18-12-2013, the JDA, Guntur has informed that the Jr.Ast. has received the suspension proceedings on 14-03-13 and the person is absconded from duties from 15-01-2013 and the person where about are not traced and requested further instructions in the matter and then C&DA has instructed to frame charges against the Sri MSDVK Prasad, Jr. Asst., O/o. ADA(R) Sattenapalli, Guntur (U/s) duly fixing the amount to be recovered from him and also to take further disciplinary action and to pursue the criminal case since the JDA, is competent authority to take disciplinary action against Jr.Asst vide memo of even no. dt.24-02-2014. But the JDA, Guntur has not submitted the detailed report as requested by the C&DA till date even after lapse of one year six months.

It was observed that the JDA, Guntur has not submitted the information up to date pertaining to this case in such a case of huge misappropriation of Govt. funds of Rs.14,32,500/- and the time taken by the JDA, Guntur for issue of suspension orders and issue of articles of charges is at around one year. So, it was much delayed and the JDA, Guntur has not finalized the disciplinary case in respect of Sri MSDVK Prasad, Jr. Asst., O/o. ADA(R) Sattenapalli (misappropriated an amount of Rs. 14,32,500/-) being the competent authority even after lapse of one year ten months.

Thus, Sri V.Sridhar, JDA, Guntur was not devoted to duty and negligent in discharging his legitimate duties, which attracts violation of Rule-3 of APCS (Conduct) Rules, 1964". Hence the charge.

In respect of Article-IV

After perusal of the inquiry report ,the C&DA,A.P has returned the inquiry report along with the disagreement factors communicated in proceedings dated:31-05-2013 and instructed to pursue the matter with the police authorities and take the case to the logical ends and submit a report in the matter for taking necessary departmental action against the accused persons and get the suspension order in respect of the Junior Assistant published in the District Gazette, since he is absconding from duties and his whereabouts are not known so as to take further action while conducting departmental enquiry. .He was also reminded on dt.02-08-13, 08-10-13 & 07-12-13.by the C&DA,A.P,Hyd

Vide lr.no. Estt.II/173/13, dt.18-12-2013, the JDA, Guntur has informed that the Jr.Ast. has received the suspension proceedings on 14-03-13 and the person is absconded from duties from 15-01-2013 and the person where about is not traced and requested further instructions in the matter and then C&DA has instructed to frame

charges against the Sri MSDVK Prasad, Jr. Asst., O/o. ADA(R) Sattenapalli, Guntur (U/s) duly fixing the amount to be recovered from him and also to take further disciplinary action and to pursue the criminal case since the JDA, is competent authority to take disciplinary action against Jr.Asst vide memo of even no. dt.24-02-2014. But the JDA, Guntur has not submitted the detailed report as requested by the C&DA till date even after lapse of one year six months.

It was observed that the JDA, Guntur has not submitted the information up to date pertaining to this case in such a case of huge misappropriation of Govt. funds of Rs.14,32,500/- and the time taken by the JDA, Guntur for issue of suspension orders and issue of articles of charges is at around one year. So, it was much delayed and the JDA, Guntur has not finalized the disciplinary case in respect of Sri MSDVK Prasad, Jr. Asst., O/o. ADA(R) Sattenapalli (misappropriated an amount of Rs. 14,32,500/-) being a competent authority even after lapse of one year ten months.

Thus Sri V.Sridhar, JDA, Guntur was not devoted to duty and negligent in discharging his legitimate duties, which attracts violation of Rule-3 of APCS (Conduct) Rules, 1964".

Hence the charge.

In respect of Article-V

After perusal of the inquiry report ,the C&DA,A.P has returned the inquiry report along with the disagreement factors communicated in proceedings dated:31-05-2013 and instructed to pursue the matter with the police authorities and take the case to the logical ends and submit a report in the matter for taking necessary departmental action against the accused persons and get the suspension order in respect of the Junior Assistant published in the District Gazette, since he is absconding from duties and his whereabouts are not known so as to take further action while conducting departmental enquiry. .He was also reminded on 02-08-13, 08-10-13 & 07-12-13.by the C&DA,A.P,Hyd.

The said report is awaited from the JDA, Guntur even after lapse of one year seven months.

Thus Sri V.Sridhar, JDA, Guntur was not devoted to duty and negligent in discharging his legitimate duties, and disobeyed the orders of the C&DA, Hyd. which attracts violation of Rule-3 of APCS (Conduct) Rules, 1964".

Hence the charge.

T.VIJAY KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER

Annexure-III

List of documents by which articles of charge framed against Sri V.Sridhar, Joint Director of Agriculture, Guntur district are proposed to be sustained.

1. Memo.No.Vig.II(2)82/2013, dt. 19-02-2013, 10-04-2013, 31-05-2013, 02-08-2013, 08-10-2013, 07-12-2013 & 24-02-2014 of the O/o Commissioner & Director of Agriculture, A.P., Hyd.
2. Suspension Proceedings No.Estt.II/ 173/13, dt.04-03-2013 of JDA, Guntur.
3. Inquiry report of DDA(Agro), O/o JDA, Guntur.

T.VIJAY KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER

Annexure-IV

List of witness by which articles of charge framed against Sri V.Sridhar, Joint Director of Agriculture, Guntur district are proposed to be sustained.

- Nil –

T.VIJAY KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER